

DOCUMENT
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DATE FILED: 7/1/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	20-CR-318 (VEC)
-against-	:	
	:	<u>ORDER</u>
MARCOS LIMON ALVARADO,	:	
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS the parties have requested an arraignment by video conference;

WHEREAS Mr. Alvarado is currently held at MCC;

IT IS HEREBY ORDERED THAT a hearing by videoconference is scheduled for **July 6, 2020, at 11:00 A.M.** Counsel will be provided with call-in instructions via email. MCC is directed to produce Mr. Alvarado for his video appearance.

IT IS FURTHER ORDERED THAT, no later than **July 3, 2020**, defense counsel must file either an executed waiver (attached to this Order) or a letter requesting that the video conference be rescheduled as an in-person conference on a date convenient to all parties.

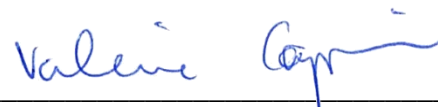
IT IS FURTHER ORDERED THAT, to optimize use of the Court's video conferencing technology, all parties on the call must:

- i. Use a browser other than Microsoft Explorer to access the video feed on Court Call;
- ii. Position the participant's device as close to the WiFi router as is feasible;
- iii. Ensure any others in the participant's household are not using WiFi during the period of the call;
- iv. If the participant is participating by video, connect to the audio portion of the videoconference by having Court Call call the participant at a desired phone number (landline or mobile), rather than using computer audio;
- v. If there is ambient noise, the participant must mute his or her device when not speaking.

Members of the public may attend the conference by dialing the audio-only line, 1-855-268-7844, using the access code 32091812# and PIN 9921299#.

SO ORDERED.

Dated: July 1, 2020
New York, NY



VALERIE CAPRONI
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

-v-

,
Defendant.

-----X

**WAIVER OF RIGHT TO BE
PRESENT AT CRIMINAL
PROCEEDING**

-CR- () ()

Check Proceeding that Applies

_____ Arraignment

I have been given a copy of the indictment containing the charges against me and have reviewed it with my attorney. I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York to confirm that I have received and reviewed the indictment; to have the indictment read aloud to me if I wish; and to enter a plea of either guilty or not guilty before the judge. After consultation with my attorney, I wish to plead not guilty. By signing this document, I wish to advise the court of the following. I willingly give up my right to appear in a courtroom in the Southern District of New York to advise the court that:

- 1) I have received and reviewed a copy of the indictment.
- 2) I do not need the judge to read the indictment aloud to me.
- 3) I plead not guilty to the charges against me in the indictment.

Date:

Signature of Defendant

Print Name

_____ Conference

I have been charged in an indictment with violations of federal law. I understand that I have a right to be present at all conferences concerning this indictment that are held by a judge in the Southern District of New York, unless the conference involves only a question of law. I understand that at these conferences the judge may, among other things, 1) set a schedule for the case including the date at which the trial will be held, and 2) determine whether, under the Speedy Trial Act, certain periods of time should be properly excluded in setting the time by which the trial must occur. I have discussed these issues with my

attorney and wish to give up my right to be present at the conferences. By signing this document, I wish to advise the court that I willingly give up my right to be present at the conferences in my case for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney be permitted to represent my interests at the proceedings even though I will not be present.

Date:

Signature of Defendant

Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the charges contained in the indictment, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held in my client's absence. I will inform my client of what transpires at the proceedings and provide my client with a copy of the transcript of the proceedings, if requested.

Date:

Signature of Defense Counsel

Print Name

Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is: _____.

Date:

Signature of Defense Counsel

Accepted:

Signature of Judge

Date: